

IDAHO REAL ESTATE APPRAISER BOARD
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 6/21/2021

THIS IS A DRAFT DOCUMENT THAT HAS NOT BEEN APPROVED BY THE BOARD

BOARD MEMBERS PRESENT: Eric J Brinton - Chair
Paul J Morgan
Jody Graham
Brent Lee Stanger
B Jane McClaran

DIVISION STAFF: Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Cesley Metcalfe, Team Lead
Janett Scott, Financial Specialist
Eric Nelson, Board Prosecutor

The meeting was called to order at 8:34 AM MDT by Eric J Brinton.

APPROVAL OF MINUTES

Mr. Morgan made a motion to approve the minutes of 4/19/2021 with changes noted by Ms. McClaran. It was seconded by Ms. McClaran. Motion carried.

Per Ms. McClaran's comments, Ms. Eavenson acknowledged that the list of staff assigned to help the Board had not been emailed yet but would be immediately following this meeting.

LAWS AND RULES

Ms. Eavenson introduced information on a potential rule change. She stated that it is difficult for trainees to get supervisors and that Idaho's rule requiring no discipline in the previous four (4) years is more restrictive than that of the federal oversight committee, the Appraisal Subcommittee (ASC). She requested that the Board consider aligning its rules with the ASC, which updated its guidelines to state that, "Supervisory Appraiser shall not have been subject to any disciplinary action – within any jurisdiction – within the last three (3) years that affected the Supervisor Appraiser's legal eligibility to engage in appraisal practice."

Mr. Stanger agreed to review the issue with Ms. Eavenson and Ms. Peel so it could be discussed at a future Board meeting.

Mr. Crema updated the Board on the Legislature not adjourning and the status of rules. When the Division laws passed earlier this session, the Division Administrator was given additional administrative powers to move the rules through a process, and the Governor's office is working toward rectifying the situation by July 1.

DIVISION BUSINESS

Ms. Eavenson updated the Board on it being able to return to in-person meetings. The facilities in Building 6 are not large, so hybrid meetings may be more comfortable, and the Division will continue to offer WebEx as a means for Board members and the public to attend the meetings.

FINANCIAL REPORT

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$915,999.55 as of 5/31/2021.

Ms. McClaran made a motion that the Board continue fees at their current level for fiscal year 2022. It was seconded by Mr. Morgan. Motion carried.

TO DO LIST

The Board reviewed the To Do List and no action was taken.

NEXT MEETING

Ms. Eavenson acknowledged that the applications were not available for review prior to the meeting due to issues with the meeting links.

The next meeting was scheduled for August 16 at 8:30 AM MDT.

APPLICATION REVIEW PROCESS

Ms. Graham made a motion to allow a Board member holding a Certified General Appraiser license to review and approve temporary permit applications with discipline between meetings. It was seconded by Ms. McClaran. Motion carried.

CE COURSE APPLICATION FORMS

Ms. Metcalfe presented a new application checklist that reduces the amount of supplemental materials required for multiple course types by aligning the requirements with the Appraisal Subcommittee minimum requirements. No action was taken.

CONFERENCE ATTENDANCE AND UPDATES

Ms. Metcalfe informed the Board that the Association of Appraiser Regulatory Official (AARO) fall conference is scheduled for October 15-18, 2021. No action was taken.

CE COURSE APPLICATIONS

Mr. Morgan made a motion to approve The Appraisal Institute's Conference Day 1 and Day 2 for continuing education. It was seconded by Mr. Stanger. Motion carried.

EXECUTIVE SESSION

Mr. Stanger made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Morgan seconded the motion. The vote was: Mr. Brinton, aye; Ms. Graham, aye; Ms. McClaran, aye; Mr. Morgan, aye; and Mr. Stanger, aye. Motion carried.

Mr. Morgan made a motion to come out of executive session. It was seconded by Ms. Graham. Motion carried.

Mr. Stanger made a motion to approve the following for licensure:

TCGA-5530	Daniel Maher
TCGA-5532	Adam Hardej

It was seconded by Mr. Morgan. Ms. McClaran abstained. Motion carried.

Mr. Stanger made a motion to approve the following for examination with additional communication to the applicant:

Applicant ID 901157973

It was seconded by Mr. Morgan. Ms. McClaran abstained. Motion carried.

Mr. Morgan made a motion to approve the following for examination with additional communication to the applicant:

Applicant ID 901153426

It was seconded by Ms. Graham. Ms. McClaran abstained. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

Mr. Stanger made a motion to close the following based on the Division's recommendations:

I-REA-2021-13
I-REA-2021-27
I-REA-2021-30
I-REA-2021-31

It was seconded by Mr. Morgan. Mr. Brinton was recused from cases I-REA-2021-13, I-REA-2021-27, and I-REA-2021-30. Motion carried.

DISCIPLINE

Mr. Nelson presented Stipulation and Consent Orders in case numbers REA-2021-1 and REA-2021-4. Mr. Stanger made a motion to approve the Consent Orders, with the typographical corrections as indicated, and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Graham. Motion carried.

SPECIAL MEETING was scheduled for June 23 at 8:30 AM MDT.

ADJOURNMENT

Mr. Morgan made a motion to adjourn the meeting at 10:36 AM MDT. It was seconded by Ms. Graham. Motion carried.

Eric J Brinton, Chair